

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37606-2021 (O&M)
Date of Decision:- 8.2.2022

Inderjit Kaur

.... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amarpreet Singh, Advocate, for the petitioner.

Mr. M.S.Dullat, Addl. AG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a complaint case No.COMA/4373, dated 13.11.2017 titled as Ranjeet Singh Vs. Inderjit Kaur at District Courts Bathinda.
2. At the time of issuance of notice of motion, the following order was passed by this Court on 10.9.2021:

“Learned counsel for the petitioner submits that the instance case arises out of a criminal complaint under Section 138 of Negotiable Instruments Act.

It is submitted that although the petitioner had earlier been declared a proclaimed offender as she was not aware about the proceedings at all, but she had herself surrendered before the Trial Court and was granted regular bail on 6.3.2020, when the matter was adjourned to 31.3.2020. It has been submitted that in the meantime a lockdown was imposed and even the Courts stopped functioning and consequently the matter was taken up by the Trial Court on 23.3.2020 as would be evident from the order (Annexure P3). It has been submitted that the matter thereafter was adjourned several times on account of spread of pandemic COVID-19.

It has been submitted that when the matter was taken up on 10.12.2020 neither any witness on behalf of the complainant was present, nor the accused was present and the Court issued a warning to cancel her bail in case she is not present on the next date and thereafter on the next date i.e. on 24.2.2021 her bail was cancelled on account of her absence.

It has been submitted that thereafter, when the petitioner came to know about the same, she moved an application for grant of anticipatory bail, which has been dismissed.

Notice of motion for 8.2.2022.

Meanwhile, the petitioner is directed to appear before the Trial Court within a period of 10 days from today. In case, the petitioner appears before the Trial Court within the aforesaid period, the Trial Court shall release the petitioner on interim bail subject to her furnishing adequate bail bonds/surety bonds to its satisfaction.”

3. Learned State counsel has informed that pursuant to interim directions, the petitioner has joined the proceedings before the trial Court.
4. In view of the aforestated position, the instant petition is accepted and interim directions issued by this Court vide order dated 10.9.2021 are hereby made absolute subject to the condition that the petitioner keeps on regularly appearing before the trial Court and to abide by any such condition as may be imposed upon by the trial Court and also abide by the conditions as provided under Section 438 (2) Cr.P.C.

08.2.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No